APPENDIX A

IN THE UNITED STATES COURT OF CLAIMS

No. 353-62

T. FRANK SMITH

v.

THE UNITED STATES

Order

This case comes before the court on defendant's motion for summary judgment and plaintiff's cross-motion for summary judgment. Upon consideration thereof, together with oral argument of counsel and the briefs of the parties, it is concluded that plaintiff's claim is barred under the doctrine of laches, and

IT IS ORDERED that defendant's motion for summary judgment be and the same is granted, plaintiff's cross-motion for summary judgment is denied, and plaintiff's petition is dismissed.

BY THE COURT
MARVIN JONES
Chief Judge

Feb. 14, 1964